

COPY**FILED**

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2010 JAN 19 PM 12: 07

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

6 Attorneys for Plaintiff BELLATOR
 7 SPORT WORLDWIDE LLC

8 UNITED STATES DISTRICT COURT
 9 CENTRAL DISTRICT OF CALIFORNIA
 10 WESTERN DIVISION

11 BELLATOR SPORT WORLDWIDE
 12 LLC, a limited liability company,

13 Plaintiff,

14 vs.

15 BELLATOR, LLC, a limited liability
 16 company, and DOES 1 through 10,
 17 inclusive,

18 Defendants.
 19

CV10-0360 RSWL (JCX)

COMPLAINT FOR:

1. False Designation of Origin
2. Common Law Trademark Infringement
3. Unfair Competition Under California Business & Professions Code § 17200
4. Common Law Unfair Competition

20
 21
 22 Plaintiff, by its attorneys, Sheldon Mak Rose & Anderson PC, alleges:

JURISDICTION AND VENUE

23
 24
 25 1. This is an action for false designation of origin under the Lanham Act,
 26 15 U.S.C. § 1051, *et seq.*, unfair competition under California state law and
 27 trademark infringement and unfair competition under the common law. This Court
 28 has jurisdiction over the Lanham Act claim under 28 U.S.C. §§ 1331 and 1338(a)

1 which provide for original federal jurisdiction over actions arising under the laws
2 of the United States and over actions relating to trademarks. This Court has
3 jurisdiction over the unfair competition claims under 28 U.S.C. § 1338(b) which
4 provides for original federal jurisdiction of unfair competition claims when joined
5 in an action with a substantial and related claim under the trademark laws. This
6 Court has supplemental jurisdiction over the state and common law claims
7 pursuant to 28 U.S.C. § 1367 because they are so related to the claims over which
8 the Court has original jurisdiction that they form part of the same case or
9 controversy.

10 2. Venue is proper in this district pursuant to 28 U.S.C. § 1391.

11 12 **THE PARTIES**

13 3. Plaintiff Bellator Sport Worldwide LLC (“Bellator Sport” or
14 “Plaintiff”) is a limited liability company duly organized and existing under the
15 laws of the State of Delaware. Bellator Sport is duly qualified to do business in the
16 State of California and it has a place of business within this judicial district.

17 4. Plaintiff is informed and it believes, and on that basis it alleges, that
18 defendant Bellator LLC (“Bellator, LLC”) is a limited liability company organized
19 under the laws of the State of Virginia.

20 5. Plaintiff is informed and it believes, and on that basis it alleges, that
21 the defendants sued herein as Does 1-10 are individuals and entities whose names
22 and identities are currently unknown to Plaintiff and who are engaged in the acts
23 described below. Plaintiff will amend its complaint to identify these individuals or
24 entities as soon as their identities become known.

25 6. Plaintiff is informed and it believes and, on that basis it alleges, that at
26 all times relevant to this complaint, there existed a relationship between each of the
27 defendants in the nature of a joint venture, partnership, principal and agent,
28 employer and employee, master and servant, aider and abettor, and/or principal and

1 conspirator. On further information and belief, each and every act of each of the
2 defendants was duly authorized or ratified by each of the other defendants and
3 carried out within the course and scope of such relationship. Hereafter, defendants
4 Bellator LLC and DOES 1-10 shall be referred to collectively as "Defendants".

5
6 **PLAINTIFF'S TRADEMARKS**

7 7. Plaintiff is the owner of a family of trademarks, each of which
8 includes the word "BELLATOR". These include: (i) the word mark BELLATOR,
9 (ii) the word mark BELLATOR FIGHTING CHAMPIONSHIPS, and (iii) the
10 mark BELLATOR FIGHTING CHAMPIONSHIPS Plus Design shown in the
11 attached Exhibit "A".

12 8. Plaintiff, through itself or through its predecessor-in-interest, has used
13 the BELLATOR mark in commerce in the U.S. continuously since at least as early
14 as 2007 in connection with, among other things, the marketing and promotion of
15 mixed martial arts fighting competitions and the distribution of various items of
16 clothing. On November 20, 2008, Plaintiff filed an application in the U.S. Patent
17 and Trademark Office ("USPTO") to register the BELLATOR trademark for use in
18 connection with a variety of goods, including clothing, and services in a number of
19 different International Classes. The application was assigned no. 77/618,475
20 ("475 Application"). The '475 Application was published for opposition on
21 October 27, 2009 and, because the application was unopposed, Plaintiff expects to
22 receive notice from the USPTO that the BELLATOR mark will be allowed to
23 proceed to registration.

24 9. Plaintiff, through itself or through its predecessor-in-interest, has used
25 the BELLATOR FIGHTING CHAMPIONSHIPS mark in commerce in the U.S.
26 continuously since at least as early as 2007 in connection with, among other things,
27 the marketing and promotion of mixed martial arts fighting competitions and the
28 distribution of various items of clothing. On November 20, 2008, Plaintiff filed an

1 application in the USPTO to register the BELLATOR FIGHTING
2 CHAMPIONSHIPS trademark for use in connection with a variety of goods,
3 including clothing, and services in a number of different International Classes.
4 The application was assigned no. 77/618,501 (“501 Application”). The ‘501
5 Application was published for opposition on October 27, 2009 and, because the
6 application was unopposed, Plaintiff expects to receive notice from the USPTO
7 that the BELLATOR FIGHTING CHAMPIONSHIPS mark will be allowed to
8 proceed to registration.

9 10. Plaintiff, through itself or through its predecessor-in-interest, has used
10 the BELLATOR FIGHTING CHAMPIONSHIPS Plus Design mark in commerce
11 in the U.S. continuously since at least as early as 2007 in connection with, among
12 other things, the marketing and promotion of mixed martial arts fighting
13 competitions and the distribution of various items of clothing. On December 16,
14 2008, Plaintiff filed an application in the USPTO to register the BELLATOR
15 FIGHTING CHAMPIONSHIPS Plus Design trademark for use in connection with
16 a variety of goods, including clothing, and services in a number of different
17 International Classes. The application was assigned no. 77/634,441 (“441
18 Application”). The ‘441 Application is presently pending in the USPTO.

19 11. At all times relevant to the acts complained of herein, Plaintiff,
20 through itself or through its predecessor-in-interest, has used BELLATOR,
21 BELLATOR FIGHTING CHAMPIONSHIPS and BELLATOR FIGHTING
22 CHAMPIONSHIPS Plus Design marks (collectively, the “Bellator Marks”) to
23 identify Plaintiff’s goods and services and to distinguish them from the goods and
24 services made and sold or offered for sale by others by, among other things,
25 affixing the individual marks to the products that Plaintiff sells and by prominently
26 displaying the individual marks on materials promoting Plaintiff’s goods and
27 services.
28

1 12. As a result of the Plaintiff's use of the Bellator Marks, purchasers of
2 Plaintiff's services and the consuming public have come to associate those marks
3 with Plaintiff. Consequently, the Bellator Marks have attained considerable value
4 and the goodwill associated with them represents a valuable business asset.

5
6 **THE DEFENDANTS' ACTIVITIES**

7 13. Plaintiff is informed and believes, and based thereon it alleges, that
8 the Defendants are advertising, promoting, offering to sell and selling in the United
9 States goods that are the same as, or are closely related to, the goods advertised,
10 promoted, offered for sale and sold by Plaintiff and that the Defendants are using
11 marks, words and symbols in connection with those services that are identical to,
12 or are confusingly similar to, the Bellator Marks, including the terms BELLATOR
13 and BELLATOR NATION.

14 14. Plaintiff is informed and it believes, and based thereon it alleges, that
15 the Defendants' BELLATOR products are promoted, marketed, offered for sale
16 and sold in this judicial district directly through an Internet website maintained by
17 the Defendants to the same class of persons as Plaintiff's goods and services are
18 marketed.

19 15. Plaintiff is not presently aware of any information to suggest that, at
20 the time the Defendants adopted their marks, words and symbols, they were
21 familiar with Plaintiff and/or with the Bellator Marks. In the event Plaintiff
22 becomes aware of any such information, Plaintiff will amend its complaint to
23 assert that the Defendants' acts alleged herein were undertaken willfully,
24 oppressively and maliciously and with the intent to usurp the goodwill in
25 Plaintiff's Bellator Marks and to seek damages, including damages and attorneys'
26 fees.

FIRST CLAIM FOR RELIEF

(Against All Defendants for False Designation of Origin, 15 U.S.C. § 1125(a))

16. Plaintiff repeats and re-alleges paragraphs 1 through 15, as though fully set forth in this paragraph.

17. The Bellator Marks are owned by Plaintiff and Plaintiff has the exclusive rights to use them. Plaintiff has never authorized or consented to the Defendants' use of these marks in connection with their products or services.

18. Defendants' actions, as alleged above, are likely to cause confusion, mistake or deception as to the affiliation, connection or association of the Defendants with Plaintiff, or as to the origin, sponsorship or approval of Defendants' products or services by Plaintiff in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1125(a).

19. By reason of Defendants' acts, as alleged herein, Plaintiff has suffered injury to its business, reputation and goodwill.

20. Defendants' acts have caused and will continue to cause irreparable and immediate injury to Plaintiff for which Plaintiff has no adequate remedy at law. Unless Defendants are restrained by this Court from continuing their unauthorized use of marks, words and symbols that are confusingly similar to Plaintiff's marks, these injuries will continue to occur.

SECOND CLAIM FOR RELIEF

(Against All Defendants for Common Law Trademark Infringement)

21. Plaintiff repeats and re-alleges paragraphs 1 through 15 as though fully set forth in this paragraph.

22. By reason of Defendants' acts, as alleged herein, Plaintiff has suffered damage to its business, reputation and goodwill.

23. The above-described acts of Defendants constitute common law trademark infringement. Such acts have caused and will continue to cause

1 irreparable and immediate injury to Plaintiff for which Plaintiff has no adequate
2 remedy at law. Unless Defendants are restrained by this Court from continuing the
3 acts alleged herein, these injuries will continue to occur.

4
5 **THIRD CLAIM FOR RELIEF**

6 **(Against All Defendants for Unfair Competition, Cal. B&P Code § 17200)**

7 24. Plaintiff repeats and re-alleges paragraphs 1 through 15, as though
8 fully set forth in this paragraph.

9 25. The above-described acts of Defendants constitute unfair competition
10 within the meaning of California Business and Professions Code section 17200.
11 Such acts have caused and will continue to cause irreparable and immediate injury
12 to Plaintiff for which Plaintiff has no adequate remedy at law. Unless Defendants
13 are restrained by this Court from continuing the acts alleged herein, these injuries
14 will continue to occur.

15
16 **FOURTH CLAIM FOR RELIEF**

17 **(Against All Defendants for Common Law Unfair Competition)**

18 26. Plaintiff repeats and re-alleges paragraphs 1 through 15, as though
19 fully set forth in this paragraph.

20 27. By reason of Defendants' acts, as alleged herein, Plaintiff has suffered
21 damage to its business, reputation and goodwill.

22 28. The above-described acts of Defendants constitute common law unfair
23 competition. Such acts have caused and will continue to cause irreparable and
24 immediate injury to Plaintiff for which Plaintiff has no adequate remedy at law.
25 Unless Defendants are restrained by this Court from continuing the acts alleged
26 herein, these injuries will continue to occur.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief as follows:

1. For an order permanently enjoining Defendants and their officers, agents, employees, and all those acting in concert or conspiracy with them from:
 - a. Using any mark or designation that makes use of the term “bellator”, whether alone or in combination with other words, characters or symbols in connection with the sale, offer for sale, promotion or advertising of any goods or services that are the same as, or are related to, Plaintiff’s goods and services.
 - b. Instructing or directing any third parties to prepare print advertising, flyers, containers, labels or packaging bearing the term “bellator”, whether alone or in combination with other words, characters or symbols for goods or services that are the same as, or are related to Plaintiff’s goods and services;
 - c. Imitating, copying, making unauthorized use of, or otherwise infringing, Plaintiff’s rights in and to the Bellator Marks and/or the individual marks in that family;
2. For an order directing Defendant to deliver up for destruction all products, labels, boxes, signs, prints, packages, wrappers, and artwork in its possession, or under its control, bearing or intended to bear the term “bellator” whether alone or in combination with other words, characters or symbols;
3. For an award of costs under 15 U.S.C. § 1117(a), or as otherwise provided by law; and

1 4. For such other and further relief as the court deems just and proper.

2
3 Dated: January 18, 2010

SHELDON MAK ROSE & ANDERSON PC

4
5
6 By: 

Jeffrey G. Sheldon

Douglas H. Morseburg

Laura M. Lloyd

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9 Attorneys for Plaintiff BELLATOR
10 SPORT WORLDWIDE LLC
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EXHIBIT "A"



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Ronald S. W. Lew and the assigned discovery Magistrate Judge is Jacqueline Chooljian.

The case number on all documents filed with the Court should read as follows:

CV10- 360 RSWL (JCx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Jeffrey G. Sheldon (State Bar No. 67516)
 Douglas H. Morseburg (State Bar No. 126205)
 SHELDON MAK ROSE & ANDERSON PC
 100 Corson Street, Third Floor
 Pasadena, California 91103-3842
 T: 626-796-4000; F: 626-795-6321

ORIGINAL

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

BELLATOR SPORT WORLDWIDE LLC, a limited
 liability company,

PLAINTIFF(S)

v.

BELLATOR, LLC, a limited liability company, and
 DOES 1 through 10, inclusive,

DEFENDANT(S).

CASE NUMBER

CV10-0360 RSWL (JCx)

SUMMONS

TO: DEFENDANT(S): BELLATOR, LLC and DOES 1 through 10

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Douglas H. Morseburg, whose address is 100 Corson Street, Third Floor, Pasadena, California 91103-3842. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

JAN 19 2010

Dated: _____

By: Natalie Gonzalez
 Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

Jeffrey G. Sheldon (State Bar No. 67516)
 Douglas H. Morseburg (State Bar No. 126205)
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 Pasadena, California 91103-3842
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COPY

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

BELLATOR SPORT WORLDWIDE LLC, a limited
 liability company,

PLAINTIFF(S)

v.

BELLATOR, LLC, a limited liability company, and
 DOES 1 through 10, inclusive,

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CASE NUMBER

CV10-0360 RSWL (JCx)

SUMMONS

TO: DEFENDANT(S): BELLATOR, LLC and DOES 1 through 10

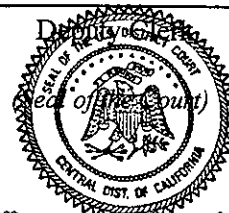
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Douglas H. Morseburg, whose address is 100 Corson Street, Third Floor, Pasadena, California 91103-3842. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: JAN 19 2010

By: NATALIE LONGORIA



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

COPY

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself ☐)
BELLATOR SPORT WORLDWIDE LLC, a limited liability company

DEFENDANTS
BELLATOR, LLC, a limited liability company; and DOES 1 through 10

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Jeffrey G. Sheldon; Douglas H. Morseburg; Laura M. Lloyd; SHELDON MAK
ROSE & ANDERSON PC, 100 Corson Street, Third Floor, Pasadena, CA
91103-3841; T: 626-796-4000; F: 626-795-6321

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☐ Yes ☒ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No

MONEY DEMANDED IN COMPLAINT: \$

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. NATURE OF SUIT (Place an X in one box only.)

<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 530 General Habeas Corpus	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input checked="" type="checkbox"/> 840 Trademark
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 891 Agricultural Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 864 SSID Title XVI (405(g))
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee		<input type="checkbox"/> 690 Other	<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 465 Other Immigration Actions			<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 240 Torts to Land				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 245 Tort Product Liability				
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 290 All Other Real Property				
<input type="checkbox"/> 950 Constitutionality of State Statutes					

FOR OFFICE USE ONLY: Case Number:

CV10-0360

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or

☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or

☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or

☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Virginia

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Douglas H. Moraburg

Date 18 Jan. 10

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))